

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION, AT KNOXVILLE

KATHRYN WEBB and MARK WEBB,

Plaintiffs,

vs.

No: 3-24-CV-186-DCLC-DCP

TENN MOR PROPERTIES LLC, et al.,

Defendants.

DEFENDANTS' MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

NOW COME Defendants Vrbo Holdings, Inc.¹ (“Vrbo”) and HomeAway.com, Inc. and through their undersigned counsel, and pursuant to Fed. R. Civ. P. 12(b)(2), respectfully submit this Motion to Dismiss Plaintiffs’ Amended Complaint Based on Lack of Personal Jurisdiction. The grounds for this Motion are set forth in the accompanying Defendants’ Memorandum in Support of Motion to Dismiss for Lack of Personal Jurisdiction and accompanying Declarations and Exhibits filed contemporaneously herewith, which are incorporated into this Motion by this reference.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law,

¹ As initially raised in its Notice of Removal, and incorporated herewith, Plaintiffs named VRBO Holdings, Inc., as a defendant in this matter. Undersigned counsel advised Plaintiffs that the proper defendant to be named is “HomeAway.com, Inc.” but Plaintiffs have yet to amend their operative Complaint or Amended Complaint to correct the name of the proper defendant. Additionally, HomeAway.com, Inc. has not been served. However, HomeAway.com, Inc., the correct entity to be named, hereby joins in the filing of Motion as if it had been properly named as a defendant and the allegations of the Complaint and Amended Complaint were asserted against it to streamline the litigation and avoid delay. HomeAway is not waiving Plaintiffs’ obligation to properly name and serve it if the case proceeds.

¹ All emphasis added and internal citations omitted unless otherwise indicated.

Defendants VRBO Holdings, Inc. and HomeAway.com, Inc. respectfully request this Court enter an order dismissing the Amended Complaint for lack of personal jurisdiction and for such other and further relief in Vrbo Holdings, Inc. and HomeAway.com, Inc.'s favor as this Court deems just and proper.

This the 23rd day of May, 2024.

/s/ Matthew A. Grossman

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served this 23rd day of May, 2024, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination.

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